

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Sang Hoo Dong et al.)	
Serial No.: 09/915,437)	Group Art Unit: 2825
Filed: July 26, 2001)	
FOR: METHOD OF LOGIC CIRCUIT)	Examiner: Binh C. Tat
SYNTHESIS AND DESIGN)	
USING A DYNAMIC CIRCUIT)	Confirmation No.: 7370
<u>LIBRARY</u>)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION

This paper is submitted in response to the Office Action mailed January 26, 2007, in the above-identified application, and is filed within the one-month shortened statutory period for response set in the Office Action.

The Applicants provisionally elect Group I, claims 1-12, for prosecution in this application with traverse.

Although the Office Action requires an election between Group I (claims 1-12) and Group II (claims 13-18), the basis for the restriction requirement is not clear from the Office Action. The Office Action refers to "distinct species" but fails to state a proper basis for requiring an election between species of an invention. In particular, the Office Action fails to identify the species to which the claims are to be restricted, and fails to explain why the species

are independent or distinct. See M.P.E.P. §809.02(a) and ¶8.01 regarding the form of a restriction requirement between species.


In fact, the two groups set out in the Office Action are not different species, that is, different embodiments of the invention that could fall within the scope of a generic claim. The claims in Group I, claims 1-12, are standard form method claims directed to either a circuit design method employing a logic synthesis step or to a method of synthesizing a logic circuit. The claims in Group II, claims 13-18, are improvement-type claims directed to a circuit design method utilizing a logic synthesis tool. These claims are all related by the logic synthesis block definition step set out in each independent claim, claims 1, 8, and 13, and by the constraint of logic synthesis to the defined logic synthesis block. Thus the claims are not directed to independent or distinct species of a generic invention.

It is further noted that there have previously been four different Office Actions in this application on essentially this same set of claims 1-18. It is unclear why a restriction requirement is being raised at this late point in the examination process.

Because the restriction requirement is not properly formed and because the claims are, in any event, not directed to independent or distinct species, the Applicants respectfully request that the restriction requirement be withdrawn, and request further action on the merits of the application.

Respectfully submitted,

The Culbertson Group, P.C.

By: 

Dated: February 14, 2007

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